

# **EXHIBIT B**

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF MASSACHUSETTS  
3  
4

5 UNITED STATES OF AMERICA, et al.

6 Plaintiffs,

Civil Action No.  
1:21-cv-11558-LTS

7 v.

8 AMERICAN AIRLINES GROUP, INC.,  
9 et al.,

10 Defendants.  
11

12 BEFORE THE HONORABLE LEO T. SOROKIN, DISTRICT JUDGE  
13

14 BENCH TRIAL  
Day 9  
15

16 Tuesday, October 11, 2022  
17 8:58 a.m.  
18  
19

20 John J. Moakley United States Courthouse  
21 Courtroom 13  
22 One Courthouse Way  
Boston, Massachusetts

23 Rachel M. Lopez, CRR  
24 Official Court Reporter  
25 raeufp@gmail.com

1 fleet constrained. And so by growing at the NEA, at the NEA  
2 airports, they have to borrow from some other parts of their  
3 network to fund that.

4 **Q.** So let's talk specifically about JetBlue. Can you  
5 explain a little more about what you were just saying about  
6 how JetBlue factors into the NEA's impact on capacity  
7 discipline?

8 **A.** Sure. So JetBlue is a maverick. It was growing much  
9 faster than the other carriers during the capacity  
10 discipline, and it was mitigating the impact of the capacity  
11 discipline period by growing faster. The NEA aligns  
12 JetBlue's incentives with American. And by prioritizing  
13 growth in the Northeast, it compromises growth elsewhere.

14 **Q.** So can you explain how all of these factors that you  
15 you've just discussed lead to your conclusion about the NEA  
16 restoring capacity discipline?

17 THE COURT: Can you just pause on that -- wait,  
18 before you answer that question. Sorry.

19 The NEA prioritizes growth in the Northeast, so  
20 that compromises growth elsewhere.

21 THE WITNESS: Correct.

22 THE COURT: That is because there's a fixed pool of  
23 planes.

24 THE WITNESS: Correct.

25 THE COURT: So NEA minus one day, there's a certain